



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,382	01/19/2001	Robert Betros	DISC1100	7353

25548 7590 06/22/2004

MARK M. TAKAHASHI
GRAY CARY WARE & FREIDENRICH, LLP
4365 EXECUTIVE DRIVE, SUITE 1100
SAN DIEGO, CA 92121-2133

EXAMINER

BRUCKART, BENJAMIN R

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 06/22/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/766,382

Applicant(s)

BETROS ET AL.

Examiner

Benjamin R Bruckart

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

Art Unit: 2155

Detailed Action

Claims 1-20 are pending in this Office Action.

Specification

The disclosure is objected to because of the following informalities:

Page 6, first paragraph reference to an application, the number is blank and

Page 7, third paragraph reference to an application, the number is blank.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claim 20 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 20 recites the limitation "the web browser" on page 20, line 13. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2155

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-4, 6-7, 10-13, 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No 6,192,394 by Gutfreund et al.

Regarding claim 1, a system for collaborative processing with distributed applications (Gutfreund: col. 2, lines 11-22; col. 5, lines 28-43), comprising:

at least one application context in which an application is executed (Gutfreund: col. 2, lines 15-22), the context including an application CGI for managing the application (Gutfreund: col. 5, lines 60-67; col. 6, lines 39-55), and a communication interface on which application data is communicated as messages (Gutfreund: col. 5, lines 5-9; TCP/IP connection); and

a messaging bus configured to communicate the messages for processing by the application (Gutfreund: col. 2, lines 2, line 15; message forwarding procedure; col. 6, lines 39-55; collaboration server passes the message to the dispatcher).

Regarding claim 2, the system of claim 1, further comprising at least one remote application that communicates messages to the application via the messaging bus (Gutfreund: col. 3, lines 10-16; col. 3, lines 65- col. 4, line 28; client system).

Regarding claim 17, the system of claim 2, wherein the at least one remote application generates presentation data that is readable by another application (Gutfreund: col. 5, lines 36-38; users to enter a set of scheduled events to calendar application; col. 4, lines 39-53).

Regarding claim 18, the system of 17, wherein the presentation data is in a format that is readable by a web browser (Gutfreund: col. 3, lines 19-21).

Art Unit: 2155

Regarding claim 19, the system of claim 18, wherein the format of the presentation data is in HTML (Gutfreund: col. 3, lines 52-55).

Regarding claim 20, the system of claim 17, wherein the web browser is configured to read the presentation data (Gutfreund: col. 3, lines 19-21, 52-55).

Regarding claim 3, the system of claim 1, further comprising a web server in communication with the application CGI (Gutfreund: col. 3, lines 16-21; col. 6, lines 39-55).

Regarding claim 4, the system of claim 3, wherein the application context includes an administration CGI in communication between the web server and the application CGI for receiving information about the application and providing a document for transmission by the web server (Gutfreund: col. 5, lines 60-67; col. 6, lines 39-55; dispatcher).

Regarding claim 10, the system of claim 1, wherein each application is configured to publish and subscribe message data with other applications via the messaging bus (Gutfreund: col. 5, lines 28-43).

Regarding claim 12, the system of claim 1, wherein the messaging bus includes a filter for filtering the message data (Gutfreund: col. 5, lines 34-36; message filtering application).

Regarding claim 13, the system of claim 12, wherein the filter is configured to filter messages according to a filter criteria executed by each application (Gutfreund: col. 7, lines 25-32).

Art Unit: 2155

Regarding claim 6, the system of claim 1, further comprising a messaging bus extension adapted for maintaining direct socket connections between the messaging bus and remote applications (Gutfreund: col. 3, lines 65- col. 4, line 28).

Regarding claim 7, the system of claim 6, wherein the messaging bus extension includes a multiplexer for multiplexing one or more direct socket connections to the messaging bus (Gutfreund: col. 2, lines 11-22; users each making connections means many connections at once in a collaborative system chat; col. 3, lines 20-40, shows 2 specific clients; col. 7, lines 18-32; inter-user messages, user input respond to invitation).

Regarding claim 11, the system of claim 6, wherein the messaging bus extension is configured to publish and subscribe message data between applications (Gutfreund: col. 5, lines 28-43).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 14-16 are rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No 6,192,394 by Gutfreund et al in view of U.S. Patent No. 6,643,683 by Drumm et al.

Regarding claim 14,

The Gutfreund reference teaches the system of claim 4, wherein an administration GGI in communication between a web server and the application CGI.

The Gutfreund reference does not explicitly teach formatting the data.

Art Unit: 2155

The Drumm reference teaches an administration CGI is configured to format application data retrieved from the application through the application CGI into presentation data that is readable by another application (Drumm: col. 6, lines 27-49).

The Drumm reference further teaches the CGI reformats the response in a format that is suitable for processing by the application server program (Drumm: col. 6, lines 35-36).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the administration CGI in communication between a web server and the application as taught by Gutfreund while formatting data into presentable data that is readable by another application as taught by Drumm in order to process the request by another application.

Claims 15-16 are rejected under the same rationale given above. In the rejections set forth, the examiner will address the additional limitations and point to the relevant teachings of Gutfreund et al and Drumm et al.

Regarding claim 15, the system of claim 14, wherein the presentation data is in a format that is readable by a web browser (Gutfreund: col. 3, lines 19-21).

Regarding claim 16, the system of claim 14, wherein the format of the presentation data is in HTML (Gutfreund: col. 3, lines 52-55).

Claim 5 is rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No 6,192,394 by Gutfreund et al in view of U.S. Patent No. 6,088,796 by Cianfrocca et al.

Regarding claim 5,

The Gutfreund reference teaches the system of claim 1 with an application CGI.

The Gutfreund reference does not explicitly state a gateway CGI.

The Cianfrocca reference teaches a gateway context including a gateway CGI configured for maintaining two-way asynchronous communication between the messaging bus and a remote application through a firewall (Cianfrocca: col. 19, lines 5-

Art Unit: 2155

50; tempest manager runs cgi keeping connections alive through the firewall; col. 2, lines 47-51).

The Cianfrocca reference further teaches the gateway running cgi can substantially reduce the load on the firewall, reducing tcp connections, and overhead (Cianfrocca: col. 19, lines 13-26).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the web server with application CGI as taught by Gutfreund while using a gateway context CGI maintaining two-way asynchronous communication as taught by Cianfrocca in order to reduce the load on the firewall, reduce tcp connections, and reduce overhead.

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No 6,192,394 by Gutfreund et al in view of U.S. Patent No. 5,426,637 by Derby et al.

Regarding claim 8,

The Gutfreund reference teaches the system of claim 1 where a web server communicates with applications CGI.

The Gutfreund reference does not explicitly mention other remote buses but does mention a second server system in which a client connects to (Gutfreund: col. 3, lines 34-38).

The Derby reference teaches a messaging bus is configured to communicate with one or more other messaging busses, and wherein each other messaging bus is resident on a remote host (Derby: col. 4, lines 22-31; messaging busses are the LANs).

The Derby reference further teaches a system with reduced overhead that interconnects networks to transmitting data over long distances with speeds equal to local distances (Derby: col. 2, lines 8-14).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the web server that communicates with applications with CGI as taught by Gutfreund while employing messaging busses connected together as

Art Unit: 2155

taught by Derby in order to transmitting data over long distances with speeds equal to local distances (Derby: col. 2, lines 8-14).

Claim 9 is rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Gutfreund et al and Derby et al.

Regarding claim 9, the system of claim 8, wherein the messaging bus is configured to communicate according to a multicast protocol (Derby: col. 14, lines 34-56).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R Bruckart whose telephone number is (703) 305-0324. The examiner can normally be reached on 8:00-5:30 PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-0324.

Application/Control Number: 09/766,382

Page 9

Art Unit: 2155

Benjamin R Bruckart

Examiner

Art Unit 2155

brb

June 18, 2004

brb

Hosain Alam

**HOSAIN ALAM
SUPERVISORY PATENT EXAMINER**